

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

TERRY R. PARHAM,)
Plaintiff,)
v.)
MACK TRUCKS,)
INC.; et al.,)
Defendant.)
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**REPLY OF UPS & LIBERTY MUTUAL INSURANCE COMPANY TO
DEFENDANT, MACK TRUCK'S, INC.'S RESPONSE TO THIS COURT'S
NOVEMBER 28, 2006 SHOW CAUSE ORDER**

COME NOW UPS and Liberty Mutual Insurance Company, and reply to Mack Trucks, Inc.'s Response to this Court's November 28, 2006 Show Cause Order, and say as follows:

1. UPS and Liberty Mutual Insurance Company agree that their intervention in this case should be passive, and limited to preserving and protecting their subrogation claim arising from Al. Code §25-5-11 (1975). UPS and Liberty Mutual do not intend to actively participate in the litigation of this case unless requested or compelled to do so.

2. UPS is incorporated in the State of Delaware, and Liberty Mutual is incorporated in the State of Massachusetts. Plaintiff alleges that he is a resident of the State of Alabama; and Defendant, Mack Trucks, Inc., is incorporated in the State of Pennsylvania. As such, UPS and Liberty Mutual submit that their intervention in this case would not affect this Court's jurisdiction.

Respectfully Submitted,

s/T.J. Segrest
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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of December, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following and via U.S. Mail.

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